

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FAY VAUGHAN,

Plaintiff,

v.

DAL GLOBAL SERVICES, LLC,

Defendant.

CIVIL ACTION NO.
1:20-CV-04485-JPB-RDC

ORDER

This matter is before the Court on the Magistrate Judge’s Non-Final Report and Recommendation [Doc. 22]. The Court finds as follows:

On November 6, 2020, Plaintiff Fay Vaughan filed a Complaint against Defendant DAL Global Services, LLC asserting a failure-to-accommodate claim under the Americans with Disabilities Act (“ADA”). [Doc. 1]. DAL thereafter filed a Motion to Dismiss for failure to state a claim. [Doc. 8]. On March 17, 2021, the Magistrate Judge issued a Non-Final Report and Recommendation. [Doc. 22, p. 1]. The Magistrate Judge recommends denying DAL’s Motion to Dismiss [Doc. 15]. Id.

A district judge has broad discretion to accept, reject or modify a magistrate judge’s proposed findings and recommendations. United States v. Raddatz, 447 U.S. 667, 680 (1980). Pursuant to 28 U.S.C. § 636(b)(1), the Court reviews any

portion of the Report and Recommendation that is the subject of a proper objection on a *de novo* basis and any non-objected-to portion under a “clearly erroneous” standard. Notably, a party objecting to a recommendation “must specifically identify those findings objected to. Frivolous, conclusive, or general objections need not be considered by the district court.” Marsden v. Moore, 847 F.2d 1536, 1548 (11th Cir. 1988). It is reasonable to place this burden on the objecting party because “[t]his rule facilitates the opportunity for district judges to spend more time on matters actually contested and produces a result compatible with the purposes of the Magistrates Act.” United States v. Schultz, 565 F.3d 1353, 1361 (11th Cir. 2009). Here, there are no objections for the Court to consider.¹

After reviewing the entirety of the Non-Final Report and Recommendation, the Non-Final Report and Recommendation [Doc. 22] is **ADOPTED** as the Order of this Court. For the reasons stated by the Magistrate Judge and for the reasons stated herein, DAL’s Motion to Dismiss [Doc. 15] is **DENIED**.

SO ORDERED this 21st day of July, 2021.



J.P. BOULEE
United States District Judge

¹ On March 29, 2021, Vaughan filed a document titled “Report & Recommendation.” [Doc. 25, p. 1]. In this document, Vaughan quotes facts from the Non-Final Report and Recommendation and asserts that her claims constitute discrimination under the ADA and that she is entitled to relief. Id. at 1–3. She does not, however, state any specific or general objections to the Non-Final Report and Recommendation, to any of the Magistrate Judge’s conclusions or to the recommendation that the Motion to Dismiss should be denied. Id.